

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

UNITED STATES OF AMERICA,

VS.

CRIMINAL ACTION NO. 1:09CR152-P-S

KENNETH BONNER,

DEFENDANT.

ORDER CONTINUING

This matter comes before the court upon Defendant Kenneth Bonner's June 17, 2010 Motion for Continuance [41]. After due consideration of the motion, the court finds as follows, to-wit:

Trial is currently set for June 28, 2009. Defense counsel requests a continuance to afford more time to engage in plea negotiations.

The Government has no objection to the continuance.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(7)(A), the period of delay from June 28, 2009 until the new trial date to be set in this matter. The time is excludable under subsection (h)(7)(A) because, given the circumstances described above, a continuance is necessary to afford the defendant's counsel more time to adequately prepare for his client's defense. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial. The time is also excludable as to Defendant Bonner's co-defendant pursuant to 18 U.S.C. section 3161(h)(6) because the period of delay is reasonable and no motion for severance has been granted.

IT IS THEREFORE ORDERED AND ADJUDGED that:

(1) Defendant Kenneth Bonner's June 16, 2010 Motion for Continuance [41] is
GRANTED;

(2) Trial of this matter is continued **as to both defendants** until Monday, August 16, 2010 at 9:00 a.m. in the United States Courthouse in Greenville, Mississippi;

(3) The delay from June 28, 2010 to August 16, 2010 is excluded from Speedy Trial Act considerations as set out above;

(4) The deadline for filing pretrial motions is July 26, 2010; and

(5) The deadline for submitting a plea agreement is August 2, 2010.

SO ORDERED this the 17th day of June, A.D., 2009.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE